From: Richard Pritchett
To: Microsoft.atr(a)usdoj.gov
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Subject: Microsoft Settlement

As a former user of IBM's OS/2 as my personal desktop operating system, I have personally seen the level
to which Microsoft has stooped in order to kill off or severely cripple their competitors. As is noted in the court
case's record of fact, Microsoft put undo pressure on IBM to get them to stop marketing and selling their highly
acclaimed OS/2 Warp V3.0 and OS/2 2.x operating systems. OS/2 Warp V3.0 was a product that allowed
consumers to make an easy migration from Windows 3.x to OS/2 and still be able to use their old applications,
but to do so on a far superior operating system. Because this method allowed IBM to get around one of the major
barriers to operating system competition, i.e. applications use and support, OS/2 was a major threat to Microsoft,
and was approaching the 14 million licenses sold mark (from public comments, not official IBM numbers). Microsoft
forced IBM's hand by making them either stop their marketing and sales efforts or pay much greater prices on
their OEM contracts for the purchase of Windows95. Since IBM is, and always will be, a hardware company first,
they made the only business decision they could, which was to stop their OS/2 efforts, and succumb to the
pressure from Microsoft. Now I'm stuck using Windows due to application needs. My desire to use OS/2 persists,
but most of the software I use is either not available or sufficiently immature for me to use OS/2 anymore.

While this is only one of many companies that have been hurt in this industry, it is clear that a competitive
market for operating systems is the ONLY way to return the software market to a competitive, and innovative
industry that it once was. The currently proposed settlement fails to address the one key area that is needed to
do this. Microsoft's Application Programming Interfaces (API's), the underlying software commands that tell the operating
system what to do, and for which programmers must use to properly program a Windows application, MUST be
FULLY documented and open sourced to the public domain. There is no other way to get the market back on
track. If the Windows API's are fully documented and released to the open public, in a very timely manner, then
many programmers, who currently are trying to bring the ability to run Windows programs on various Linux distributions
(WINE Project) and on IBM's OS/2 (Odin Project), will be able to give the Linux and OS/2 operating systems the
ability to run Windows applications, including their Office suite, on both operating systems, and any other operating
system where enough interest is present to port the applications.

Also, Microsoft should be forced to divest its Office Suite software, as it gives them a dual monopoly which ties into
each other and gives it a lot more power to generate new monopolies, and keep raising prices for new features (bug fixes).
If this department does not wish to force a divestiture upon Microsoft, then force Microsoft to release the file formats
into the open public so that other competing office suite makers (Lotus; Sun; Corel before MS pumped money into them) can
allow their suites to use Microsoft Office files natively, thereby allowing consumers the choice to decide which office
suit gets the job done better. Right now MS has a huge lock on this market because everyone's documents are in
these file formats that Microsoft changes with each new release so that other suite makers can't keep up.

In summary, Microsoft must be forced to open its Windows API's and either divest its Office suite or be forced to publicly
document their file formats (in a timely manner for both). Combined with restrictions on their OEM license agreements,
this should have the net affect of bringing competition back to the software marketplace. If these things are not done,
then it will simply be a slap of Microsoft's wrist, and the marketplace will continue to loose small and innovative companies
due to the practices of Microsoft. The list of greatly innovative companies that were killed off is huge. Many have already
won court cases, or settlements, against Microsoft.

Thank you,

Richard A. Pritchett
Tampa, FL
rpritch2@tampabay.rr.com